



Fair Political Practices Commission

428 J Street, Suite 620, Sacramento, CA 95814

[www.fppc.ca.gov](http://www.fppc.ca.gov)

## NEWS ADVISORY

For Immediate Release:  
May 5, 2005

Contact: Jon Matthews  
Theis Finlev  
(916) 322-7761

### **Court of Appeal rules that ballot measure committee limits are not in effect pending appeal**

A state appeals court issued a ruling today (May 5) stating that the Fair Political Practices Commission regulation on state candidate-controlled ballot measure committees is currently subject to a Superior Court injunction. As a result, the commission is prohibited from administering and enforcing the limits while the commission's appeal of the injunction is pending.

Citizens to Save California, Assembly member Keith Richman, Governor Arnold Schwarzenegger, Schwarzenegger's California Recovery Team, Senator John Campbell, and the campaign committees Rescue California from Budget Deficits and Taxpayers for Responsible Pensions, sued the FPPC in February, challenging a regulation adopted by the commission in June, 2004. That regulation applied the same contribution limits to state candidate-controlled ballot-measure committees that apply to the candidates themselves - currently \$22,300 for the Governor.

Sacramento Superior Court Judge Shelleyanne Chang ruled in favor of the Citizens to Save California on March 25, 2005, and issued a preliminary injunction against the regulation on April 18, 2005.

On April 19, the Fair Political Practices Commission appealed the Superior Court decision. In the notice of appeal filed in *Citizens v. FPPC*, the commission noted that the appeal stayed the superior court's order and therefore the regulation remained in full force and effect pending the outcome of the appeal.

On May 2, Judge Chang issued a new ruling stating that the preliminary injunction against enforcement of the regulation remains in effect notwithstanding the appeal. The FPPC on May 3rd filed a writ petition in the Third District Court of Appeal requesting the court confirm that the preliminary injunction was stayed. It was that request that was denied in today's ruling.

#####